

## **DETAILED ACTION**

### ***Request for Continued Examination***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/18/2008 has been entered.

### ***Examiner's Amendment***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. On lines 17 and 19 of claim 21, lines 15 and 17 of claim 43, and on lines 13 and 15 of claim 47, the word "deliver" is replaced with -- delivers – for clarity purposes. On line 24 of claim 21, line 22 of claim 43, and line 20 of claim 47, the word "individual" has been replaced with -- adjustable -- for consistency purposes.
4. Claims 43 should be indicated as (Currently Amended) vice (Previously Amended) and claims 49-53 should be indicated as (Previously Presented) vice (Previously Amended) and therefore these claims have been changed accordingly.
5. Claims 2-4, 9, 11-14, 16, 17, 21, 22, 26, 32, 43 and 47 are amended by applicant.

6. Claims 1, 10, 15, 18-20, 23-25, 27, 29-31, 33-42, 44-46 and 54-60 are canceled.
7. Claims 61-80 are new.
8. Claims 2-9, 11-14, 16, 17, 21, 22, 26, 28, 32, 43, 47-53 and 61-80 are allowed.

***Reasons for Allowance***

9. The following is an examiner's statement of reasons for allowance. The propulsion system for an amphibious vehicle as claimed by the applicant are not shown or suggested in the prior art, since the prior art does not disclose, teach or suggest a propulsion system where a power transmission means delivers power from a prime mover only to a marine propulsion means when the vehicle is operated in a marine mode and where the power transmission means delivers power from the prime mover to both the marine propulsion means and a land propulsion means when the vehicle is operated in a land mode, and which includes a single actuation device to select or control each adjustable parameter in both the land and marine modes of operation.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel V. Venne whose telephone number is (571) 272-7947. The examiner can normally be reached between 7:00AM - 3:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samuel J. Morano can be reached on (571) 272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

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If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (In USA or CANADA) or 571-272-1000.

DVV

/Lars A Olson/

Primary Examiner, Art Unit 3617